

United States District Court

JUL 28 2016

SOUTHERN

DISTRICT OF

TEXAS

McALLEN DIVISION

David J. Bradley, Clerk

UNITED STATES OF AMERICA

V.

CRIMINAL COMPLAINT

Rosa Maria Chavez

PRINCIPAL

Case Number:

YOB: 1975

M-16-1441 -M

USC

(Name and Address of Defendant)

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about July 27, 2016 in Hidalgo County, in the Southern District of Texas defendants(s) did,
(Track Statutory Language of Offense)

knowing or in reckless disregard of the fact Armando Urbina-Zuna, a citizen and national of the United Mexican States and Jorgen Alejandro Juarez-Alvarez, a citizen and national of Guatemala, along with two (2) other undocumented alien, for a total of four (4), who had entered the United States in violation of law, did knowingly transport, or move or attempts to transport said aliens in furtherance of such violation of law within the United States, that is, from a location near La Joya, Texas to the point of arrest near Penitas, Texas,

in violation of Title 8 United States Code, Section(s) 1324(a)(1)(A)(ii) FELONY

I further state that I am a(n) U.S. Senior Border Patrol Agent and that this complaint is based on the following facts:

On July 27, 2016, Border Patrol Agent (BPA) M. Fennell observed a Texas Department of Public Safety (DPS) Trooper on a traffic stop at the intersection of Tom Gill Road and Expressway 83, in Penitas, Texas. Upon arrival, Agent Fennell observed five subjects in DPS custody on the side of the road. Agent Fennell made contact with Trooper Sustaita who conducted the traffic stop on a Chevrolet Avalanche. Trooper Sustaita stated he conducted the traffic stop on the Avalanche and issued a warning for Use of Vision Reducing Matter on Windows (Glass coating Material). Rosa Maria CHAVEZ, a Naturalized US citizen, was identified as the driver of the vehicle. An interview of the vehicles occupants was conducted by Border Patrol Agent C. Campos, which revealed that all four passengers were illegal aliens with no proper documentation to be or remain in the United States. CHAVEZ and the four passengers were detained and transported to the McAllen Border Patrol Station for processing.

PRINCIPAL STATEMENT:

At the McAllen Border Patrol Station, Rosa Maria CHAVEZ was advised of her Miranda Rights, stated she understood her

SEE ATTACHED

Continued on the attached sheet and made a part of this complaint:

Approved [Signature]

☒ Yes ☐ No

[Signature]

Signature of Complainant

Julio C. Pena

Senior Patrol Agent

Printed Name of Complainant

Sworn to before me and subscribed in my presence,

July 28, 2016

Date

3:01 pm

at

McAllen, Texas

City and State

Peter E. Ormsby

U. S. Magistrate Judge

Name and Title of Judicial Officer

[Signature]

Signature of Judicial Officer

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
McALLEN, TEXAS**

ATTACHMENT TO CRIMINAL COMPLAINT:

M-16-1441 -M

RE: Rosa Maria Chavez

CONTINUATION:

rights and was willing to answer questions without the presence of an attorney.

CHAVEZ stated she was in need of money and was told by her boyfriend that she would receive a call on her cell phone from a person who would pay her money to pick up illegal aliens. CHAVEZ stated she received a call from a male subject who directed her to an alley behind a neighborhood in La Joya. After picking up the illegal aliens, CHAVEZ received a phone call from her boyfriend who instructed her to drive south on Jackson and drop off the illegal aliens at the Motel 6.

MATERIAL WITNESS STATEMENTS:

Both material witnesses were read their rights, stated they understood their rights and were willing to provide statements without the presence of an attorney.

MATERIAL WITNESS #1:

Armando URBINA-Zuna, a citizen and national of the United Mexican States, stated he paid 500.00 USD to a smuggler in Mexico to be smuggled into the United States. URBINA claimed he had crossed the Rio Grande River in a raft with a group of people and one brush guide. The group was told they would be walking to a cell tower where they would be picked up. URBINA stated a truck being driven by an older female arrived and picked up the group. URBINA sat in the back seat behind the passenger and could see the driver. URBINA was provided a photo lineup and positively identified Rosa Maria CHAVEZ as the driver of the vehicle.

MATERIAL WITNESS #2:

Jurgen Alejandro JUAREZ-Alvarez, a citizen and national of Guatemala, stated he made his smuggling arrangements in Mexico and was to be charged later. JUAREZ crossed the Rio Grande River in a raft with a group of people and one guide. JUAREZ stated that once at the pickup location, a black four door Avalanche driven by a female arrived and the group entered the Avalanche. JUAREZ states he sat next to the driver in the front passenger seat. JUAREZ stated the female driver was older, average weight with long black hair. JUAREZ was provided a photo lineup but could not positively identified the driver of the vehicle.